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THE AMERICAN BOTTLING COMPANY;
DR PEPPER/SEVEN UP, INC.; KEURIG DR
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Attorneys for Plaintiff
FRANCISCO BELLO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO BELLO, an individual and
on behalf of all others similarly situated,

Plaintiff,

v.

THE AMERICAN BOTTLING
COMPANY, a Delaware corporation;
KEURIG DR PEPPER INC., a Delaware
corporation; TAYLOR MARCUS, an
individual; and DOES 1 through 100,
inclusive

Defendants.

Case No. 2:22-cv-01333-KJM-KJN

Assigned to Hon. Kimberly J. Mueller,
Courtroom 3

**JOINT STIPULATION TO
CONTINUE RESPONSIVE
PLEADING DEADLINE;
ORDER**

[F.R.C.P. 6(b); Local Rule 144(a)]

[San Joaquin County Superior Court
Case No. STK-CV-UOE-2022-5279]

Complaint Filed: June 23, 2022
Removal Filed: July 27, 2022

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 144(a), Plaintiff FRANCISCO BELLO (“Plaintiff”) and Defendants THE AMERICAN BOTTLING COMPANY; KEURIG DR PEPPER INC.; and TAYLOR MARCUS (collectively “Defendants”), acting by and through their respective counsel, hereby enter into this Stipulation to extend the time for Defendants to file a responsive pleading to Plaintiff’s Complaint (“Complaint”) by an additional 20 days. Defendants removed this action to Federal Court on July 27, 2022. Defendants initial responsive pleading deadline was August 3, 2022, which was continued via stipulation to September 30, 2022, as permitted by Federal Rule of Civil Procedure 6(b) and Local Rule 144(a).

The Parties are continuing to meet and confer on issues concerning a purported arbitration agreement between the Parties, other cases with overlapping claims, and possible early resolution of this matter. Given the complexity of this matter, and the other pending matters, and while the Parties meet and confer over these issues to sort the best course of action, they agree that extending Defendants’ responsive pleading deadline by an additional 20 days to October 20, 2022, would promote judicial economy and efficiency.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: September 27, 2022

Respectfully submitted,

SEYFARTH SHAW LLP

By:


Daniel C. Whang
Laura E. Heyne

Attorneys for Defendants The American
Bottling Company; Keurig Dr Pepper Inc.;
and Taylor Marcus

1 DATED: September 27, 2022

Respectfully submitted,

2 BIBIYAN LAW GROUP, P.C.

3
4 By: */s/ Jeffrey C. Bills (as authorized on*
5 *9/27/22)*

6 David D. Bibiyan

Jeffrey C. Bills

Joshua Shirian

7 Attorneys for Plaintiff

8 Francisco Bello

ORDER

The Court has reviewed the Parties' Stipulation to Continue Defendants' Responsive Pleading Deadline to October 20, 2022, and hereby GRANTS the Parties' request. **IT IS SO ORDERED.**

Dated: September 29, 2022


CHIEF UNITED STATES DISTRICT JUDGE

*** Pursuant to Local Rule 131(e), all signatories listed, and on whose behalf this Report is submitted, concur in the filing's content and have authorized the filing.**